

02527 U.S. PTO  
06/26/03

Attorney Docket No. RADNT-029C

16424 U.S. PTO  
10/606499  
06/26/03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)		
Dae, et al.	)	Art Unit:	To Be Determined
	)		
Application No.: To Be Determined	)	Examiner:	To Be Determined
	)		
Filed: June 26, 2003 Herewith	)		
	)		
For: Method of Inotropic Treatment of	)		
<u>Hearth Disease Using Hypothermia</u>	)		

**Transmittal of a Continuation Utility Patent Application**

Express Mail mailing label no. EV261457316US

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for filing is the continuation utility patent application for Method to Inotropic Treatment of Heart Disease Using Hypothermia.”

- ☒ The applicant(s) hereby request(s) the filing of the continuation patent application under 37 CFR §1.53(b) corresponding to application Serial No. 09/938,851 filed on August 24, 2001. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.
- ☒ A true copy of the following are enclosed:
  - ☒ the prior application as filed, including all 41 pages of specifications (including 35 pages of written description; 5 pages of claims (Claims 1-15), 1 page of Abstract) and 12 sheets of drawings; and
  - ☒ the declaration of inventorship showing the signatures or an indication it was signed.
- ☒ Applicant hereby requests that the above-referenced patent application, filed concurrently herewith, **NOT BE PUBLISHED** under 35 U.S.C. §122(b). In making this request,

applicants certify that the invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at 18 months after filing.

- ☐ Please delete the names of the following persons who are not inventors of the invention being claimed in this divisional application:
- ☒ Please amend the specification after the granting of a filing date herein by inserting before the first line the sentence: --This is a continuation of application Serial No. 09/938,851 filed on August 24, 2001--.
- ☒ Please amend the claims by canceling claims 2-15. Applicant will file a subsequent preliminary amendment presenting now claims for prosecution.
- ☒ Check No. 3067 covering the filing fee in the amount of \$375.00 accompanies this application, calculated as follows:

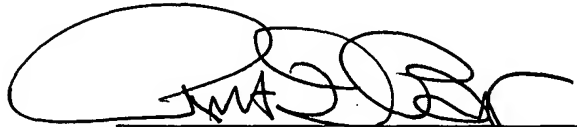
	(Col. 1)		(Col. 2)		Small entity		Other than a
For	No. Filed		No. extra	Rate	Fee	Or	Small entity
Basic fee					\$ 375	Or	\$
Total claims	1	- 20 =	0	x 0	\$	Or	x 18 \$
Indep claims	1	- 3 =	0	x 0	\$	Or	x 78 \$
Multiple dependent claims presented			0	\$	Or	0	\$
				Total	\$375	Or	Total \$

- ☒ An Assignment of the invention to Radiant Medical Inc. was previously filed on August 24, 2001, and recorded on November 27, 2001 on Real / Frame: 012453/0650.
- ☐ A Statement of Ownership and Power of Attorney.
- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.
- ☒ Twelve (12) Sheets of Formal drawings are enclosed.
- ☒ The undersigned is the Applicant's attorney of record in the prior application, and all future communications should be addressed to the undersigned at the new address shown here-below.
- ☐ The statement(s) of Small Entity Status filed in the prior application is no longer proper and is hereby withdrawn.

☒ An information disclosure statement is enclosed.

STOUT, UXA, BUYAN & MULLINS, LLP

Date: June 26, 2003



Robert D. Buyan, Reg. No. 32,460

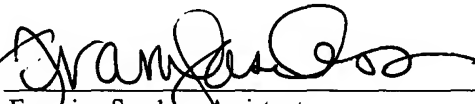
4 Venture, Suite #310  
Irvine, CA 92618  
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Facsimile: (949) 450-1764

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CERTIFICATE OF MAILING

I hereby certify that this Transmittal letter, the above-identified documents and papers, and a return postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on June 26, 2003 and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 26, 2003

By:   
Francine Sanders, Assistant

Express Mail mailing label no.: EV261457316US